

simply wishes to confirm the filing of such Preliminary Amendment, and ensure that the Examiner's analysis of the application is undertaken in the light of such amendment. Should the Examiner find that such Preliminary Amendment has not been entered, he is respectfully urged to contact the undersigned attorney as quickly as possible so as to not further delay processing of the instant application.

The Examiner has asserted that the claims of the above-referenced application are directed to the following patentably distinct inventions:

- I. Claims 1-13, drawn to a composition for use in the manufacture of construction boards.
- II. Claims 14-21, drawn to a construction board composition.
- III. Claims 22-36, drawn to a method for manufacturing a construction grade board.
- IV. Claims 37-48, drawn to a wallboard manufacturing facility.

The Examiner has also asserted that the application contains claims directed to the following patentably distinct species of the claimed inventions:

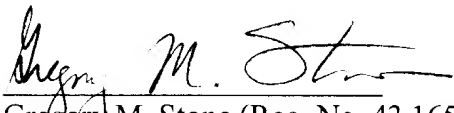
- A. The embodiment wherein the synthetic binder is a vinyl acetate emulsion.
- B. The embodiment wherein the synthetic binder is a water-based non-V.O.C. acrylic emulsion (claim 4).
- C. The embodiment wherein the synthetic binder is a water-based non-V.O.C. polyurethane emulsion (claim 4).

Applicant hereby elects Group I, Claims 1-13, drawn to a composition for use in the manufacture of construction boards, and Species A in which embodiment the synthetic binder is a vinyl acetate emulsion, without traverse. Applicant also hereby cancels claims 14-48 without prejudice or disclaimer of the subject matter contained therein.

In the event that there are any questions concerning this Response, or the application in general, the Examiner is respectfully urged to telephone the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

12/9/02
Date


Gregory M. Stone (Reg. No. 43,165)
Attorney for Applicant
WHITEFORD, TAYLOR & PRESTON L.L.P.
Seven Saint Paul Street
Baltimore, Maryland 21202-1626
(410) 659-6402

1462071